IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

LA.App..No. 482 of 2005()

LAR.83/2001 of PRL.SUB COURT, KOZHIKODE
.....

APPELLANT: RESPONDENT/RESPONDENT NO.1:

STATE OF KERALA.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA.

RESPONDENTS: CLAIMANTS/RESPONDENT NO.2:
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1. N.V.MOITHEENKOYA, S/O. KUNJIPOCKER,
AMEERA MANZIL, MOOSERI PARAMBATH, VENGERI,
KOZHIKODE BY POWER OF ATTORNEY HOLDER HIS WIFE
SAFIA BEEFI.

2. THE SECRETARY,
CALICUT CORPORATION.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 12/12/2007, ALONG WITH LAA 863/2004 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.482 of 2005 & C.M.Appln.No.679/2005

Dated this the 12th day of December, 2007

JUDGMENT

Kurian Joseph,J.

C.M.Appln.No.679/2005 is an application for condonation of delay in filing the appeal. On merits it is seen that this appeal is filed by the State aggrieved by the fixation of land value for the purpose of widening of Parambilakkadavu-Thadampattuthazham road. The section 4(1) notification is dated 27-6-1997. In L.A.A.No.1301/2003 in respect of the same notification and acquired for the same purpose and in the same Vengeri Village this court has sustained the land value at Rs.40,000/- per cent. In that case in view of the lesser importance of the property acquired, the land value was fixed at Rs.25,200/- per cent. Therefore, the delay condonation petition and the appeal are dismissed.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.No.482 of 2005

JUDGMENT

12th December, 2007